

Message Text

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ACTION ORM-02

INFO OCT-01 AF-08 IO-13 ISO-00 DHA-02 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

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FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 4257

INFO AMEMBASSY MAPUTO

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: KE, MZ, SREF

SUBJECT: MOZAMBKCAN REFUGEES IN KENYA

REF: (A) STATE 285341, (B) NAIROBI 10672

1. UPON RECEIPT REFTEL EMBOFF MET WITH UNHCR REGIONAL DIRECTOR KADRY TO CLARIFY FACTS CONCERNING HANDLING OF MOZAMBIKAN REFUGEES HERE. IN COURSE LENGTHY CONVERSATION KADRY MADE FOLLOWING POCNTS WHICH REFUTE IMPLICATIONS OF VAN HOOGSTRATEN LETTER TO SENATOR KENNEDY:

A. UNHCR NAIROBI AND GENEVA HAVE REVIEWED INDIVIDUALLY EACH REQUEST FOR RECONSIDERATION (111) SUBMITTED BY MOZAMBKCAN REFUGEES (REF A). IN ALL CASES FOUND MERITORIOKS UNDER UNHCR CRITERIA (NOW 27) UNHCR RECOMMENDED TO GOK THAT IT CONTINUE REFUGEE STATUS FOR INDIVIDUALS CONCERNED AND THEIR FAMILIES. IN EACH SUCH CASE GO AGREED. UNHCR HAS CONCLUDED THAT OTHER MOZAMBIKANS ARE NOT BONA FIDE POLITICAL REFUGEES.

B. NO MOZAMBIKANS HAVE BEEN OR ARE BEING FORCIBLY REPATRIATED, ALTHOUGH 7 OF THE 111 WHO ORIGINALLY APPEALED TO UNHCR TO INTERVENE ON THEIR BE-

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GINALLY APPEALED TO UNHCR TO INTERVENE ON THEIR BE-

HALF HAVE SUBSEQUENTLY REQUESTED UNHCR REPATRIATION ASSISTANCE. NEITHER GOK NOR UNHCR HAS ANY OBJECTION TO RESETTLEMENT OF THESE INDIVIDUALS IN PORTUGAL, MALAWI OR ELSEWHERE. ON THE CONTRARY GOK WOULD BE DELIGHTED TO BE RELIEVED OF THE PROBLEM. APPROXIMATELY 8 OF THE 111 REFERRED TO ABOVE HAVE DEPARTED, OR ARE PREPARING TO DEPART FOR ASSORTED 3RD COUNTRIES.

C. WITH SPECIFIC RESPECT TO CASE OF FRANCISCO MATIAS, HE FILLED OUT IN LONGHAND APPLICATION FORM REQUESTING UNHCR ASSISTANCE FOR REPATRIATION TO MOZAMBIQUE "TO JOIN MOTHER AND WORK IN FARMING IN THE COUNTRY." (EMBOFF SAW DOCUMENT.)

2. ABOVE INFORMATION NOTWITHSTANDING, FACT REMAINS THAT MOZAMBICANS, WHO WERE ONCE REFUGEES IN KENYA BUT ARE NOW HERE ILLEGALLY, FACE SERIOUS PROBLEMS. THEY NO LONGER RECEIVE FINANCIAL ASSISTANCE. MOST HAVE BEEN UNABLE, APPARENTLY, TO OBTAIN WORK PERMITS. EMBASSY DOES NOT BELIEVE, HOWEVER, THAT BEST SOLUTION LIES IN EXERTING PRESSURE ON GOK TO KEEP THESE INDIVIDUALS HERE. CASE CANNOT BE MADE THAT GOK HAS DEALT CAPRICIOUSLY WITH SITUATION OR HAS IGNORED ITS OBLIGATIONS UNDER CONVENTION ON REFUGEES. THE UGANDAN REFUGEE PROBLEM HERE HAS GROWN AND IT IS NOT UNREASONABLE FOR GOK TO ATTEMPT REDUCE ITS OVERALL BURDEN BY CULLING THOSE OTHERS NO LONGER CONSIDERED LEGITIMATE REFUGEES. A MORE USEFUL APPROACH, WE BELIEVE, WOULD BE FOR INTERESTED ORGANIZATIONS TO DIRECT THEIR EFFORTS TOWARD OBTAINING 3RD COUNTRY (PORTUGAL, MALAWI, ETC.) AGREEMENT TO ADMIT THESE MOZAMBICANS, AND TOWARD ARRANGING FINANCING FOR THEM TO GET THERE.

DECON 1-1-78.
MARSHALL

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